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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/922,013

08/03/2001

Mark Rutenberg

1373.016

1064

7590 01/24/2008  
LEVISOHN, BERGER & LANGSAM, LLP  
805 THIRD AVENUE, 19TH FLOOR  
NEW YORK, NY 10022

EXAMINER

BEISNER, WILLIAM H

ART UNIT

PAPER NUMBER

1797

MAIL DATE

DELIVERY MODE

01/24/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09922013	8/3/01	RUTENBERG ET AL.	1373.016

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**EXAMINER**

William H.. Beisner

ART UNIT	PAPER
1797	20080121

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

1. The amendment filed on Nov. 5, 2007 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because the remaining claims are drawn to method claims which are distinct for the same reasons set forth in the restriction requirement of record dated Oct. 5, 2001.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication should be directed to William H. Beisner at telephone number 571-272-1269.

William H. Beisner/  
Primary Examiner  
Art Unit: 1797